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| 09/880,266      | 06/13/2001  | Maria Selene Lugo Saucedo | 32944-00043USPT     | 5378             |

7590 08/03/2004  
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EXAMINER

PEACHES, RANDY

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2686

DATE MAILED: 08/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/880,266

Applicant(s)

SAUCEDO ET AL.

Examiner

Randy Peaches

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.  
4a) Of the above claim(s) 8 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. ***Claims 1-7 and 9-14*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Valentine et al (U.S. Patent Number 6,356,751 B1) in view of Choi et al (U.S. Patent Number 6,594,492 B2) and further view of Houde (U.S. Patent Number 5,797,093).

Regarding ***claim 1***, Valentine et al discloses method of managing an Emergency Service Call (ESC) within a network while ***a party, which reads on claimed "subscriber", hereinafter referenced as party***, is engaged in an on-going call, wherein the network includes a serving MSC/VLR 14(b), and anchor MSC/VLR 14(a), which reads on claimed "serving entity and an anchor entity", a Call optimization Server (COS, 240) in conjunction with an Home Location Register (HLR, 26), which reads on claimed "Position Determining Entity (PDE), to determine the location of the called party (see columns 3 and 4 lines 66-67 lines 1-5, respectively) and an Emergency Call Center (ECC, 50), which reads on claimed "Emergency Service Entity": wherein the on-going call has been handed-

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off from the said anchor MSC/VLR 14(a) to serving MSC/VLR 14(b), comprising the steps of:

- receiving an Emergency Request Message (ERM, 245) for an Emergency Call (EC), which reads on claimed "a request for the ESC", at the said serving MSC/VLR 14(b). See column 5 lines 54-59;
- ***responsive to an emergency condition, the subscriber invoking the said EC via a 3-way calling while maintaining the on-going call; only if the called party contains the same emergency features as the initiating party. See column 5 lines 59-65.***
- receiving a request or a current location of the party at the said COS (240). See columns 3 and 4 lines 66-67 lines 1-5, respectively;
- determining the current location of the party at the said COS (240) in conjunction with the said HLR (26). See columns 3 and 4 lines 66-67 lines 1-5, respectively
- receiving the current location of the party at the said serving MSC/VLR 14(b),
- subsequently updating the said anchor MSC/VLR 14(a) with the current location of the Mobile Station. See column 1 lines 53-67.

However, Valentine et al fails to clearly specify sending and receiving the said ***geographic position*** to an anchor entity, and setting up an EC between the anchor entities.

Choi et al teaches in columns 6 and 7 lines 58-67 lines 6-12 of:

- sending the current location to the anchor exchange (504);

- setting up the emergency call, see column 4 lines 30-34, between the said anchor exchange and the said Emergency Call Center (50), which reads on claimed "Emergency Service Entity". See FIGURE 5. ***Wherein the current geo-position information is included in the information request message, which reads on claimed "call setup message."***

***See Choi column 5 lines 58-67.***

Hence, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the teachings Valentine et al (U.S. Patent Number 6,356,751 B1) to include Choi et al (U.S. Patent Number 6,594,492 B2) in order to provide the said party's geographic coordinate/location in reference to the said party's current location when the information is requested from a calling party.

The combination of Valentine et al (U.S. Patent Number 6,356,751 B1) and Choi et al (U.S. Patent Number 6,594,492 B2) fails to teach on a calling party being engaged in an on-going conversation prior to initiating a said EC.

Houde (U.S. Patent Number 5,797,093) teaches in column 4 lines 37-43, of a mobile station (20') wishing to originate a cellular emergency call concurrently continued with a first call, which reads on claimed "a party is engaged in an on-going call".

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combined teachings Valentine et al (U.S. Patent Number 6,356,751 B1) in view of Choi et al (U.S. Patent Number 6,594,492 B2) to further include Houde (U.S. Patent Number 5,797,093)

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in order to establish a third party emergency call in parallel with a on-going conversation with a first and second party of **any** mobile terminal user. In addition, develop a method to where the elements of the said network are able to locate a second party in through the continued communication link of the on-going said first and second party's conversation.

Regarding **claim 2**, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2) and Houde (U.S. Patent Number 5,797,093) are made, the combination according to **claim 1**, would result in a method wherein the step of receiving a request for the said EC at the serving MSC/VLR 14(b) further includes the step of:

- receiving **the** request for the said EC after the on-going call is placed on hold. See Valentine et al column 3 lines 9-15.

Regarding **claim 3**, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2) and Houde (U.S. Patent Number 5,797,093) are made, the combination according to **claim 1**, would result in a method wherein the serving entity includes, as taught by Choi et al, a Serving Exchange (502), which reads on claimed "Serving Mobile Switching Center (SMSC)", and an associated Serving Mobile Position Center (512), which reads on claimed "Mobile Position Center (SMPC), and wherein the

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step of receiving a request for a current location of the party at the Position

Determining Equipment (PDE, 520) further includes the steps of:

- sending an *Inter-system Position Request (ISPOSREQ) (516)* for the said Serving Exchange (502) to the said Serving Mobile Position Center (512); and
- sending a *POSREG (518)*, which reads on claimed "Geo-position Request", from Serving Mobile Position Center (512) to the said PDE (520). See Choi et al column 7 lines 3-15.

Regarding **claim 4**, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2) and Houde (U.S. Patent Number 5,797,093) are made, the combination according to **claim 1**, would result in a method wherein the serving entity includes, as taught by Choi et al, a Serving Exchange (502), which reads on claimed "Serving Mobile Switching Center (SMSC)", and an associated Serving Mobile Position Center (512), which reads on claimed "Mobile Position Center (SMPC), and wherein the step of sending the current location to the anchor entity the party at the serving entity further includes the steps of:

- sending a said POSREG (516) response including the current location of the party from the said PDE (520) to the Serving Exchange (502). See Choi et al column 9 lines 18-21; and

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- sending an ISPOSREQ response including the current location of the party from the Serving Mobile Position Center (512) and a Serving Exchange (502). See Choi et al column 9 lines 18-21.

Regarding **claim 5**, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2) and Houde (U.S. Patent Number 5,797,093) are made, the combination according to **claim 1**, would result in a method wherein the serving entity includes, as taught by Choi et al, a Serving Exchange (502), which reads on claimed "Serving Mobile Switching Center (SMSC)", and an associated Serving Mobile Position Center (512), which reads on claimed "Mobile Position Center (SMPC), and wherein the step of sending the current location of the said anchor MSC/VLR 14(a) further includes the steps of:

- as taught by Houde (U.S. Patent Number 5,797,093) in columns 4 and 5 lines 61-67 lines 1-55, when a said EC is initiated, the said anchor MSC/VLR 14(a) generates a message including a number of parameters for transmission to other (anchor) Mobile Switching Center.

Regarding **claim 6**, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2), Houde (U.S. Patent Number 5,797,093) are made, the combination according to **claim 1**, would result in a method wherein the anchor entity includes a Anchor Exchange (504), which reads on claimed "Anchor Mobile Switching Center), and



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an associated Anchor Mobile Position Center (512), and wherein the step of subsequently updating the anchor entity with the current location further includes the steps of:

- sending the ***ISPOSDIR, which reads on claimed "Geo-position Direct"***, message including the current location of the party from the said Anchor Exchange (504) to the said Anchor Mobile Position Center (512). See Choi et al column 9 lines 21-31.

Regarding ***claim 7***, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2) and Houde (U.S. Patent Number 5,797,093) are made, the combination according to ***claim 1***, would result in a method, as taught by Choi et al in column 6 lines 49-52, wherein the Emergency Service Entity is an Emergency Services Center (ESC, 508), which reads on claimed "Emergency Services Network Entity".

Regarding ***claim 9***, Valentine et al discloses method of managing an Emergency Service Call (ESC) within a network while ***a party, which reads on claimed "subscriber", hereinafter referenced as party***, is engaged in an on-going call, wherein the network includes a serving MSC/VLR 14(b), and anchor MSC/VLR 14(a), which reads on claimed "serving entity and an anchor entity", a Call optimization Server (COS, 240) in conjunction with an Home Location Register (HLR, 26), which reads on claimed "Position Determining Entity (PDE), to determine the location of the called party (see columns 3 and 4 lines 66-67 lines

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1-5, respectively) and an Emergency Call Center (ECC, 50), which reads on claimed "Emergency Service Entity": wherein the on-going call has been handed-off from the said anchor MSC/VLR 14(a) to serving MSC/VLR 14(b), comprising the steps of:

- receiving an Emergency Request Message (ERM, 245) for an Emergency Call (EC), which reads on claimed "a request for the ESC", at the said serving MSC/VLR 14(b). See column 5 lines 54-59;
- ***responsive to an emergency condition, the subscriber invoking the said EC via a 3-way calling while maintaining the on-going call; only if the called party contains the same emergency features as the initiating party.***
- receiving a request or a current location of the party at the said COS (240). See columns 3 and 4 lines 66-67 lines 1-5, respectively;
- determining the current location of the party at the said COS (240) in conjunction with the said HLR (26). See columns 3 and 4 lines 66-67 lines 1-5, respectively
- receiving the current location of the party at the said serving MSC/VLR 14(b),
- subsequently updating the said anchor MSC/VLR 14(a) with the current location of the Mobile Station. See column 1 lines 53-67.

However, Valentine et al fails to clearly specify sending and receiving the ***geographic position*** to an anchor entity, and setting up an EC between the anchor entities.

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Choi et al discloses in FIGURE 5, a network for managing an Emergency Services Call (ESC, 500) invoked by a party while the party is engaged in a said on-going call that has been handed off to serve the party at a current location, comprising:

- a said anchor exchange (504) for updating the current location subsequent to setting up the said ESC (500). ***Wherein the current geo-position information is included in the information request message, which reads on claimed "call setup message." See Choi column 5 lines 58-67.*** Also, see column 7 lines 18-25.
- a Serving Exchange (502) in electronic communication with the said anchor exchange. See columns 6 and 7 lines 42-67 lines 1-31, respectively.
- a Position Determining Entity (PDE, 52) in electronic communication with the Serving Exchange; ***for determining the current geo-position of the said party. See column 7 lines 5-21.***
- an Emergency Service Center (508) in electronic communication with the said Anchor Exchange (504).

Hence, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the teachings Valentine et al (U.S. Patent Number 6,356,751 B1) to include Choi et al (U.S. Patent Number 6,594,492 B2) in order to provide the said party's geographic coordinate/location in reference to the said party's current location when the information is requested from a calling party.

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However, Choi et al (U.S. Patent Number 6,594,492 B2) fails to teach of a calling party being engaged in an on-going conversation prior to initiating a said ESC (500).

Houde (U.S. Patent Number 5,797,093) teaches in column 4 lines 37-43, of a mobile station (20') wishing to originate a cellular emergency call concurrently continued with a first call, which reads on claimed "a party is engaged in an on-going call".

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Choi et al (U.S. Patent Number 6,594,492 B2) to include Houde (U.S. Patent Number 5,797,093) in order to establish a said ESC (500) initiated by a first party in an on-going conversation with a second party where the said serving and anchor exchanges are electronically communicating with said PDE and said Emergency Service Center (508).

Regarding **claim 10**, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2) and Houde (U.S. Patent Number 5,797,093) are made, the combination as claimed in **claim 9**, Choi et al discloses a network wherein the Serving Entity includes:

- a Serving Exchange, which reads on claimed "Serving Mobile Switching Center", in electronic communication with the said PDE (52). See FIGURE 5; and

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- and associated Serving Mobile Position Center (512), which reads on claimed "Mobile Position Center", in electronic communication with said Serving Exchange.

Regarding **claim 11**, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2) and Houde (U.S. Patent Number 5,797,093) are made, the combination as claimed in **claim 9**, Choi et al discloses a network wherein the Anchor Entity includes:

- Anchor Exchange (504), which reads on claimed "Anchor Mobile Switching Center", in electronic communication with the said serving entity. See FIGURE 5 reference (404); and
- an associated Anchor Mobile Position Center (512) in electronic communication with the said Anchor Exchange.

Regarding **claim 12**, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2) and Houde (U.S. Patent Number 5,797,093) are made, the combination as claimed in **claim 9**, Choi et al discloses a network wherein the Emergency Service Entity is an Emergency Services Center (ESC, 508), which reads on claimed "Emergency Services Network Entity". See column 6 lines 49-52.

Regarding **claim 13**, Valentine et al discloses a method of managing an Emergency Service Call (ESC) within a telecommunication system, which reads

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on claimed "network", while a first MS (20a), which reads on claimed "non-troubled party", is engaged in an on-going call with a MS (20b), which reads on claimed "troubled party, at a trouble location by activating the emergency call feature, see column 3 lines 9-14, wherein the said telecommunication system includes a serving MSC/VLR 14(b), and anchor MSC/VLR 14(a), which reads on claimed "serving entity and an anchor entity", a Call optimization Server (COS, 240) in conjunction with an Home Location Register (HLR, 26), which reads on claimed "Position Determining Entity (PDE), to determine the location of the called party (see columns 3 and 4 lines 66-67 lines 1-5, respectively) and an Emergency Call Center (ECC, 50), which reads on claimed "Emergency Service Entity":

- on-going call has been handed-off from the said anchor MSC/VLR 14(a) to serving MSC/VLR 14(b),
- ***responsive to an emergency condition, the subscriber invoking the said EC via a 3-way calling while maintaining the on-going call; only if the called party contains the same emergency features as the initiating party.***
- receiving an Emergency Request Message (ERM, 245) for an Emergency Call (EC), which reads on claimed "a request for the ESC", at the said serving MSC/VLR 14(b). See column 5 lines 54-59;
- receiving a request or a current location of the said MS (20b) or troubled party at the said COS (240). See columns 3 and 4 lines 66-67 lines 1-5, respectively;

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- determining the current location of the said MS 20(b) or called troubled party at the said COS (240) in conjunction with the said HLR (26). See columns 3 and 4 lines 66-67 lines 1-5, respectively;
- receiving the current location of the said troubled party at the said serving MSC/VLR 14(b),
- sending the troubled party's location to the said anchor MSC/VLR 14(a). See column 3 and 4 lines 55-67 lines 1-10, respectively; and
- setting up the said EC between the anchor MSC/VLR 14(a) and the said ECC (50). See column 5 lines 49-55.

However, Valentine et al fails to clearly specify sending and receiving the **geographic position** to an anchor entity, and setting up an EC between the anchor entities.

Choi et al teaches in columns 6 and 7 lines 58-67 lines 6-12 of:

- sending the current location to the anchor exchange (504);
- setting up the emergency call, see column 4 lines 30-34, between the said anchor exchange and the said Emergency Call Center (50), which reads on claimed "Emergency Service Entity". See FIGURE 5. **Wherein the current geo-position information is included in the information request message, which reads on claimed "call setup message."**

**See Choi column 5 lines 58-67.**

Hence, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the teachings Valentine et al (U.S. Patent Number 6,356,751 B1) to include Choi et al (U.S. Patent Number 6,594,492 B2)

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in order to provide the said party's geographic coordinate/location in reference to the said party's current location when the information is requested from a calling party.

The combination of Valentine et al (U.S. Patent Number 6,356,751 B1) and Choi et al (U.S. Patent Number 6,594,492 B2) fails to teach on a calling party being engaged in an on-going conversation prior to initiating a said EC.

Houde (U.S. Patent Number 5,797,093) teaches in column 4 lines 37-43, of a mobile station (20') wishing to originate a cellular emergency call concurrently continued with a first call, which reads on claimed "a party is engaged in an on-going call".

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combined teachings Valentine et al (U.S. Patent Number 6,356,751 B1) in view of Choi et al (U.S. Patent Number 6,594,492 B2) to further include Houde (U.S. Patent Number 5,797,093) in order to establish a third party emergency call in parallel with a on-going conversation with a first and second party of **any** mobile terminal user. In addition, develop a method to where the elements of the said network are able to locate a second party in through the continued communication link of the on-going said first and second party's conversation.

Regarding **claim 14**, as the above combination of Valentine et al (U.S. Patent Number 6,356,751 B1), Choi et al (U.S. Patent Number 6,594,492 B2) and Houde (U.S. Patent Number 5,797,093) are made, the combination as claimed in



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**claim 13**, Valentine et al discloses a method wherein the request for the said EC includes an emergency key or keys, which reads on claimed "key code", triggers the emergency call procedure, which includes determining the troubled location by the said COS in conjunction with the said HLR. See column 4 lines 46-67.

### ***Response to Arguments***

Applicant's arguments, see Amendment "A", paper number 3, filed May 10, 2004, with respect to an Examiner's ***Objection to the Drawings*** have been fully considered and are persuasive. The objection cited by the Examiner regarding reference character "512" has been withdrawn. Character number does not exist in Applicant's drawings.

Applicant's arguments filed May 10, 2004, have been fully considered but they are not persuasive.

Regarding **claim 1**, the Applicant asserts the cited prior art does not disclose the limitation of invoking a 3-way call during an emergency condition, while maintaining the on-going call. Valentine clearly teaches in column 5 lines 59-65, as cited in the above rejection, where a 3-way call is performed through a CCD device (conference circuit device) when an emergency call is invoked by one of the talking parties, thus causing the on-going call to be handed of from the said anchor entity to the serving entity. The addition of both Choi and Houde, further supports the amended Applicants limitations by sending and receiving the

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**geographic position** to an anchor entity, and setting up an EC between the anchor entities during an on-going conversation.

Therefore, with respect to the above statement the Examiner concludes that claims 2-7 continually stands fully rejected based on the dependency of claim 1.

Applicant's arguments, see pages 10-13, filed May 10, 2004, with respect to the rejection(s) of claim(s) 9-14 under 35 USC § 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of both Valentine and Choi.

Regarding **claims 9 and 13**, the Applicant asserts the cited prior art does not disclose the limitation of invoking a 3-way call during an emergency condition, while maintaining the on-going call.

Applicant asserts the cited prior art does not disclose the limitation of invoking a 3-way call during an emergency condition, while maintaining the on-going call. Valentine clearly teaches in column 5 lines 59-65, as cited in the above rejection, where a 3-way call is performed through a CCD device (conference circuit device) when an emergency call is invoked by one of the talking parties, thus causing the on-going call to be handed off from the said anchor entity to the serving entity. The addition of both Choi and Valentine, further supports the amended Applicants limitations by sending and receiving the **geographic position** to an anchor entity, and setting up an EC between the anchor entities during an on-going conversation.

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Therefore, with respect to the above statement the Examiner concludes that **claims 10-12 and 14** continually stands fully rejected based on the dependency of **claims 9 and 13**.

### **Conclusion**

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy Peaches whose telephone number is (703) 305-8993. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (703) 305-

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4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Randy Peaches  
July 23, 2004

*Nguyen T. Vo*  
7-26-04

**NGUYEN T. VO**  
**PRIMARY EXAMINER**